

In re TURNER ET AL., Application No. 09/705,450  
Amendment A

### **REMARKS**

The Office action dated November 17, 2004, and the references cited have been fully considered. In response, please enter the amendments presented herein and consider the following remarks. Reconsideration and/or further prosecution of the application is respectfully requested. No new matter is added herein.

Applicants appreciate the Office indicating the allowable subject matter, and for the discovery and suggestions for correcting the typographical errors. As the application has been pending for a long duration, Applicants have elected to "take the claims" indicated as allowed or allowable subject matter in the application. Please note that (1) a hardcopy information disclosure statement and (2) an electronic disclosure statement are being filed along with this amendment today, and Applicants respectfully request these items be considered prior to issuing a Notice of Allowance in this matter. Below is a roadmap to the claim amendments.

Claims 4, 7 and 8 are re-written in independent form as the Office states these claims will be allowable if re-written in independent form. Claim 1 is cancelled. Claims 2, 5, 6, and 10 are amended to depend from independent claim 4. Claim 3 is amended to depend from independent claim 8.

The claim objections and § 112 rejections will be addressed in the following remarks, which are numbered to reference the same numbered paragraphs of the Office Action to which they are directed.

Paragraph 2. Applicants appreciate the suggestion, and have removed the redundant phrase of "placing the" in claim 29, and therefore, Applicants request this claim objection be withdrawn.

Paragraph 5. Applicants appreciate the suggestion for claims 14, 35, and 38. Based on which, Applicants have modified these claims to recite " wherein a set of possible states for the state of the second component includes an unconstrained state, an off state, and a backlogged state," which Applicants believe complies with 35 USC § 112, and therefore request these rejections be withdrawn.

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Paragraph 6. Applicants request these rejections be withdrawn as claims 14, 35, and 38 have been corrected as discussed in relation to paragraph 5.

Paragraph 7. Claim 18 is amended to conform to the claim language of independent claim 16 (from which it depends), and therefore complies with § 112, and Applicants request this rejection be withdrawn.

As such, Applicants believe there are no outstanding claim objections nor § 112 rejections.

Moreover, as the claims have been amended as discussed *supra* such that only claims allowed or indicated as being allowed, or depending from such claims (e.g., claims 2 and 5 amended to depend from claim 4, and claim 3 amended to depend from claim 8), Applicants believe all claims are in condition for allowance, and respectfully request all objections and rejections be withdrawn, and the case be allowed to pass to issuance.

**Final Remarks.** In view of the above remarks and for at least the reasons presented herein, all pending claims are believed to be allowable over the prior art of record, the application is considered in good and proper form for allowance, and the Office is respectfully requested to issue a timely Notice of allowance in this case. If, in the opinion of the Office, a telephone conference would expedite the prosecution of the subject application, the Office is invited to call the undersigned attorney.


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Applicants believe no extension of time is required, but hereby petitions any such extension of time required and authorizes the Commissioner to charge any associated fees to Deposit Account No. 501430. Moreover, the Commissioner is hereby generally authorized under 37 C.F.R. § 1.136(a)(3) to treat this communication or any future communication in this or any related application filed pursuant to 37 C.F.R. § 1.53 requiring an extension of time as incorporating a request therefore, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 501430 for any fee that may be due in connection with such a request for an extension of time. Moreover, the Commissioner is hereby authorized to charge payment of any fee due any under 37 C.F.R. §§ 1.16 and § 1.17 associated with this communication or any future communication in this or any related application filed pursuant to 37 C.F.R. § 1.53 or credit any overpayment to Deposit Account No. 501430.

Respectfully submitted,  
The Law Office of Kirk D. Williams

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By

  
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